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February 12, 2021

VIA EMAIL and U.S. MAIL

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Re: *Tracy Caekaert and Camillia Mapley v. Watchtower Bible and Tract Society of New York, Inc., et al.*
USDC Billings Division 20-CV-52-SPW-TJC
File No. 78280.001

Ariane Rowland and Jamie Schulze v. Watchtower Bible and Tract Society of New York, Inc., et al.
USDC Billings Division 20-CV-59-SPW-TJC
File No. 78280.002

Gentlemen:

I am writing in response to James' letters dated January 26, 2021, regarding discovery issues. While the Watch Tower Bible and Tract Society of Pennsylvania (hereinafter "WTPA") and the Watchtower Bible and Tract Society of New York, Inc. (hereinafter "WTNY"), disagree with many of the assertions made in those letters as discussed herein, this information is being provided in the spirit of cooperation in the hopes of resolving these issues. Please be advised it is not the intent of WTPA to waive, explicitly or implicitly, its claim that it is not subject to personal jurisdiction in Montana by providing this information. See Docs. 13, 14, and 25 in the *Caekaert* matter; and Docs. 9, 10, and 18 in the *Rowland* matter (all explaining WTPA's position regarding personal jurisdiction).

*also licensed in
North Dakota

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Interrogatory No. 25 to WTPA

As explained in WTPA's Answer to Interrogatory No. 25, and subject to the objections set forth therein, "[t]he Governing Body of Jehovah's Witnesses is an ecclesiastical group of men who care for the spiritual interests of Jehovah's Witnesses." While WTPA disagrees with your position that such Answer "is so vague and ambiguous that it constitutes a non-answer", the Governing Body is an ecclesiastical group of men who care for the spiritual interests of Jehovah's Witnesses worldwide, including providing guidance regarding the beliefs and practices of Jehovah's Witnesses in harmony with its role as set forth at Matthew 24:45-47. As was also explained in WTPA's original Answer, the Governing Body "has no legal or corporate control over any entity used by Jehovah's Witnesses."

Request for Production No. 58 to WTPA / Request for Production No. 2 to WTNY

Along with the objections set forth in the Responses to these Requests for Production, including but not limited to privacy concerns, it is the position of WTPA and WTNY that the documents requested in these Requests for Production are overly broad and unduly burdensome as to Plaintiffs' alter ego theory. Based on James' letters, it appears the main focus of Plaintiffs' alter ego theory is whether WTNY is undercapitalized. Notwithstanding these objections, WTPA responds that, after a diligent search, it has no responsive records for the time period in question. WTNY has responsive records for the time period in question that it is willing to produce subject to the enclosed Stipulated Protective Orders. Furthermore, WTNY is willing to stipulate to its current net worth subject to the enclosed Stipulated Protective Orders.

Request for Admission No. 13 to WTPA

To clarify its Response to Request for Admission No. 13, and subject to the objections set forth therein, WTPA admits only that "the WTNY Legal Department also provided general counsel services to WTPA."

Request for Admission No. 14 to WTPA

As explained in its Response to Request for Admission No. 14, and subject to the objections set forth therein, WTPA objects to Request for Admission No. 14 "to [the] extent it suggests any legal direction or oversight" of WTPA by the Governing Body of Jehovah's Witnesses. Given the failure to define what Request for Admission No. 14 meant by "worked under the direction," it is unclear what was meant by that phrase. However, and as explained in relation to Interrogatory No. 25, "[t]he Governing Body of Jehovah's Witnesses is an ecclesiastical group of men who care for the spiritual interests of Jehovah's Witnesses", including providing guidance regarding the beliefs and practices of Jehovah's Witnesses worldwide. The Governing Body has no legal or corporate control over WTPA or WTNY.

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Request for Admission No. 15 to WTPA / Request for Admission No. 2 to WTNY

As explained in the original Responses to these Requests for Admissions, and subject to the objections set forth therein, the term "Jehovah's Witness database" is unknown and unintelligible to both WTPA and WTNY. It was only your recent letters that clarified what those Requests for Admissions were seeking. Given that clarification, written responses from congregations to the 1997 letter referenced in your letter have been kept by and are in the control of WTNY. Such written responses are not in the possession, custody, or control of WTPA.

Request for Admission No. 16 to WTPA / Request for Admission No. 3 to WTNY

While your recent correspondence refers to Request for Production No. 6 to WTPA, the discussion regarding the same appears to be in relation to Request for Admission No. 16 to WTPA. Both WTPA and WTNY responded to these Requests for Admission as written, and I am unaware of any authority requiring a party responding to a Request for Admission to determine whether the requesting party's "clear[] inten[tion]" is different from how the Request for Admission is written. If you are aware of any such authority, please provide citations to the same.

Thank you for your attention to this matter, and please contact me with any questions or concerns.

Sincerely,



Jon A. Wilson
JAW

enclosures

cc: Joel M. Taylor (via e-mail)